

Members

Sen. Connie Lawson, Chairperson
Sen. Sue Landske
Sen. Billie Breaux
Sen. Allie Craycraft
Rep. Kathy Richardson
Rep. Robert Behning
Rep. Thomas Kromkowski
Rep. Ed Mahern



CENSUS DATA ADVISORY COMMITTEE

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MEETING MINUTES¹

Meeting Date: October 19, 2005
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 4

Members Present: Sen. Connie Lawson, Chairperson; Sen. Billie Breaux; Sen. Allie Craycraft; Rep. Kathy Richardson; Rep. Robert Behning; Rep. Thomas Kromkowski; Rep. Ed Mahern.

Members Absent: Sen. Sue Landske.

(1) Call to Order.

The Chair, Senator Lawson, called the meeting to order at 10:15 a.m.

(2) Introduction of Members.

The Chair dispensed with the introduction of members.

1. Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

(3) Presentation by Representatives of U.S. Census Bureau.

The Chair introduced Ms. Cathy McCully, Chief of the Census Redistricting Data Office of the U.S. Census Bureau, and Mr. Al Pfieffer, Chief, Local Geographic Partnership Branch, U.S. Census Bureau. Ms. McCully distributed a folder of materials to Committee members.²

Ms. McCully reviewed the history of the redistricting data program from its inception in the 1970s, through the development of TIGER/Line® files, to the present. Ms. McCully said that the Census Bureau is striving for greater automation of the process and improvement of spatial accuracy.

Ms. McCully summarized the various phases of the redistricting data program for the 2010 Census. She said the Bureau is targeting to have current census data broken out by current state legislative districts before 2010. She described the American Community Survey which is an ongoing sampling of demographic data of the country. This survey is intended to replace the long form of the decennial census. She said that the Bureau hopes to be able to report this data by state legislative district annually after the 2010 Census.

Ms. McCully briefly described the Block Boundary Suggestion Program and the Voting District Program, both of which are processes in which the states cooperate with the Census Bureau in the determination of the fundamental units of census geography and election geography. Ms. McCully said that the Bureau is making a transition in its geographic products so that census data can be more easily used with "off-the-shelf" software. Ms. McCully described the process by which the Bureau would deliver data to the states and evaluate the entire process after the 2010 Census.

Representative Richardson asked whether the introduction of the American Community Survey would obviate the need for rapidly growing communities such as Fishers to obtain a special census to update population numbers. Ms. McCully responded that a special census would still be required because the American Community Survey is a statistical sampling for demographic data; the program does not perform a headcount of a geographic area.

2. This folder and its contents are Exhibit #1 to these Minutes. The following materials are included in the folder: (1) A page titled "AGENDA Countdown to the 2010 Redistricting Data Program, Indianapolis, Indiana, October 19, 2005. (2) A page titled "2010 Census Redistricting Data Program: Phase 1 - State Legislative District Project, Preliminary Guidelines for Participation. (3) A copy of a "Notice of Program" "Establishment of the 2010 Census Redistricting Data Program", Federal Register, Vol. 69, No. 93, Thursday, May 13, 2004, p. 26547. (4) A copy of a "Notice of Program" "2010 Census Redistricting Data Program Commencement of Phase 1: State Legislative District Project", Federal Register, Vol. 70, No. 30, Tuesday, February 15, 2005, p. 7713. (5) A booklet titled "American Community Survey, A Handbook for State and Local Officials", issued August 2005. (6) An information copy of a booklet titled "The American Community Survey". (7) A brochure titled "The 2010 Census Redistricting Data Program". (8) A booklet titled "Designing P.L.94-171 Redistricting Data for the Year 2010 Census, The View from the States".

Representative Mahern emphasized the need for the Census Bureau to place Indiana at the front of the list for delivery of data because of our constitutional requirements to complete redistricting within a short time after the completion of the decennial census. Ms. McCully assured that Indiana is near the top of the list for data delivery. In response to Representative Mahern's question, she referred him to the distributed materials for information about vendors that were capable of assisting states with redistricting.³

Ms. McCully said that there has been discussion in Washington whether to change the way incarcerated individuals are tabulated. She said the issue is whether a prisoner should continue to be counted at the location of the prisoner's incarceration or counted at the place of the individual's domicile before incarceration. She said that a change in this counting methodology could also affect the way all group residency (college campuses, for example) is handled. She said there have been proposals to include a citizenship question on the census short form and she discussed how such a change would affect response rates to the census. Finally, in response to a comment from Ms. McCully that Indiana is now participating in the American Community Survey, a member of the public observed that there have been some reports that individuals have been fraudulently representing themselves as employees of the Census Bureau conducting the American Community Survey in order to obtain personal information about citizens. Ms. McCully emphasized that if there is any doubt whether a person is representing the Census Bureau, the Bureau should be contacted for verification.

Mr. Pfieffer discussed geographic issues, including a program to improve the TIGER/Line® files. Mr. Pfieffer stressed the importance of accuracy in the master address list and local government participation in compiling an accurate address list. Local governments can participate in the process through the Census Bureau's Local Update of Census Addresses ("LUCA") program. Mr. Pfieffer noted that Indiana had little participation in LUCA during the 2000 Census. In contrast, Ms. McCully noted, Georgia had good participation in LUCA. Georgia increased its congressional delegation by two seats, one of which has been attributed to Georgia's vigorous efforts to assure that the Census Bureau has accurate address data.

In response to questions from Senator Craycraft and Representative Kromkowski, Mr. Pfieffer said that employees of local units of government participating in LUCA generally assume the same confidentiality restrictions as Census Bureau employees do to assure the privacy of individuals. The penalty for violating confidentiality requirements is a maximum fine of \$250,000 and a five-year jail term.

Mr. Pfieffer said that local units of government will be invited to participate in LUCA in July of 2007. There are three ways that a local government can participate in LUCA: A local government can share any local address lists with the

3. See Exhibit # 1, "Designing P.L.94-171 Redistricting Data for the Year 2010 Census, The View from the States", Appendix C.

Census Bureau with the Bureau not providing feedback regarding the accuracy of the list. A confidentiality agreement is not required with such participation. A local government can exchange address lists with the Census Bureau or can engage in a full address list review with the Census Bureau. In either of the latter cases, a local government would be required to enter into a confidentiality agreement with the Census Bureau.

Mr. Pfeiffer briefly discussed the Boundary and Annexation Survey which is a program to verify the correct boundaries of political subdivisions. Under this program, local governments will be given an opportunity to review the Census Bureau's boundary data. In response to a question from Representative Richardson, Mr. Pfeiffer said that the Census Bureau will not be able to use parcel boundaries for the 2010 Census. He said that there would not be changes to definitions of "small areas" but that there might be some adjustment to the definitions of "census designated places" to include neighborhood designations. Mr. Pfeiffer said that there will be an effort to update school district boundaries every two years. He discussed the effort to acquire address data for new construction. In response to a question from Representative Richardson, there was brief discussion of freezing precinct boundaries and annexations before a census is taken.

Carol Rogers, Information Services Director, Indiana Business Research Center, Indiana University Kelley School of Business, spoke about the importance of local participation in the LUCA program to assure accurate maps for a full count of the population and to improve base geography data.

(4) Public Testimony.

No member of the public asked to speak to the Committee on other topics.

(5) Action on Preliminary Drafts.

- PD 3045 concerning voter registration.⁴ Staff stated that the draft was not changed from the previous meeting. A motion was made and seconded that the Committee recommend to the General Assembly enactment of the draft. The Committee adopted the motion by voice vote. All members present voted in favor of the motion.

- PD 3056 concerning miscellaneous changes in election law.⁵ Staff stated that the draft was not changed from the previous meeting. A motion was made and seconded that the Committee recommend to the General Assembly enactment of the draft. The Committee adopted the motion by voice vote. All members present voted in favor of the motion.

4. A copy of PD 3045 is Exhibit #2 to these Minutes.

5. A copy of PD 3056 is Exhibit #3 to these Minutes.

○ PD 3256 concerning precinct boundary changes.⁶ Staff stated that SECTION 3 was added to the previous version of the draft at the request of the Election Division. Staff explained that SECTION 3 is a Noncode SECTION that would provide that a precinct establishment order issued after June 30, 2005 complies with handicapped accessibility requirements if the order states either that the precinct polling place complies with the requirements or that a polling place that complies with the requirements will be designated before April 1, 2006. A motion was made and seconded that the Committee recommend to the General Assembly enactment of the draft. The Committee adopted the motion by voice vote. All members present voted in favor of the motion.

○ PD 3257 concerning casting provisional ballot by challenged voter.⁷ The Chair announced that she would not take a vote on this draft but hoped that the ideas could be the subject of additional discussion and work. At the Chair's direction, staff explained that the material on page 11, line 34 through page 12, line 1 was added to the previous version. This language would provide that if a provisional voter has provided proof of identification and if the only evidence that the county election board has before it on the question of counting the provisional ballot is the affidavit of the provisional voter and the affidavit of the challenger, the provisional ballot shall be counted.

○ PD 3258 concerning disbanding a candidate's committee.⁸ Staff stated that the bold language on page 2 was added to the previous version of the draft and that "election division" had been substituted for "commission" on page 5, line 42 of the draft. A motion was made and seconded that the Committee recommend to the General Assembly enactment of the draft. The Committee adopted the motion by a show of hands. All members present voted in favor of the motion.

○ PD 3275 concerning technical election law amendments.⁹ Staff explained that this draft was derived from the previous version by deleting SECTIONS relating to preservation of election materials. A motion was made and seconded that the Committee recommend to the General Assembly enactment of the draft. The Committee adopted the motion by voice vote. All members present voted in favor of the motion.

Staff explained that PD 3102 concerning certification of election results was not revised because the issues raised about this draft at the previous meeting have not yet been resolved. The Chair stated that she would continue to work on the draft.

6. A copy of PD 3256 is Exhibit #4 to these Minutes.

7. A copy of PD 3257 is Exhibit #5 to these Minutes.

8. A copy of PD 3258 is Exhibit #6 to these Minutes.

9. A copy of PD 3275 is Exhibit #7 to these Minutes.

(6) Other Committee Business.

There was no other business to come before the Committee.

(7) Adoption of Committee Annual Report.

A motion was made and seconded that the Committee adopt the draft Annual Report with the additional material suggested by staff. The Committee adopted the motion by voice vote. All members present voted in favor of the motion.

(8) Adjournment.

The Chair adjourned the meeting at 1:05 p.m.